Mr. SPEAKER.—The question is :

"That a new clause may be added after clause 1 as follows as clause 2 and the existing clause 2 renumbered as clause 3 :—

"2. In Section 3, the following additional definition be added:

'Magistrate of the District' means the District Magistrate having jurisdiction over the District ".

The motion was adopted.

The new clause was added to the Bill.

Mr. SPEAKER.—Clause 1. The question is :

"That Clause 1 stand part of the Bill ".

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

"That the Title and the Preamble stand part of the Bill ".

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

The Hon'ble Sri T. MARIAPPA.—I move :

"That the Cattle Trespass (Amendment) Bill, 1951, as amended, be passed ".

Mr. SPEAKER.—The question is :

"That the Cattle Trespass (Amendment) Bill, 1951, as amended, be passed ".

The motion was adopted.

The Mysore Irrigation (Amendment) Bill, 1951.

Motion to consider.

The Hon'ble Sri T. MARIAPPA (Home Minister).—Sir, I move :

"That the Mysore Irrigation (Amendment) Bill, 1951, as reported by the Select Committee, be taken into consideration ".

Sir, this is a very important measure which seeks to amend the existing Irrigation Act. The main idea is to expedite the preparation of projects relating to restoration and construction of irrigation works and also the execution of the works. The present procedure is a bit cumbersome. Now, the project has to be prepared and all the relevant drawing and estimates will have to be sent up to Government and the Government should put its seal of approval and then send it for inquiry, according to the Irrigation Act, through the Revenue Department. Sir, within my experience, it has taken on an average two to two-and-a-half years for the finalisation of any scheme for the restoration or construction of irrigation work. The feeling has been that there is inordinate delay between the preparation of the project and undertaking the execution of the work. Particularly, after undertaking the expeditious execution of the irrigation works under the Grow More Food Campaign, it was felt that the present procedure has to be simplified. And having regard to the feelings of the agriculturist class in Mysore that the construction or restoration of irrigation works should be expedited, we came to the conclusion that an amendment has to be brought toward making the procedure very simple. That is the main amendment and the other amendments are incidental.

Power is also taken to regulate and control the supply of water so that there can be no wastage. Another minor amendment which is embodied in this Bill is with regard to the unauthorised use of water by those people who benefit by such unauthorised use. In such cases it is proposed to charge them such penalty as would meet the needs of the cases.

Power is also taken to consult the Tank Panchayets or Irrigation Boards wherever constituted with regard to the maintenance of irrigation works. Sir, I must make it very clear and I think most of the Hon'ble Members are also aware that there is no systematic maintenance of these precious irrigation works. Irrigation works are a national asset and owing to long neglect of nearly a century or at least half a century, we have been reduced to the position where food deficit haunts us every year. If the vast net-work of irrigation works are maintained in *pucca* state of repair, the position today would have been much better than what it is. Many tanks are silted up. Feeder channels have breached. Waste weirs and tank channels have also breached. The responsibility for the maintenance being

on the *atchkatdars*, we have not been able to keep up that maintenance in the standard in which it ought to have been kept up. It is true, Sir, in some cases, these irrigation works have been maintained by the villagers. In the altered circumstances that exist today, there is an insistent demand that Government alone should undertake even the maintenance works. There are instances where *atchkatdars* have agreed to pay contribution for the restoration or maintenance of irrigation works. Sir, I must thank the Members of the Select Committee who went into this question in great detail and sat several times with great inconvenience to themselves. They have examined every aspect of this question exhaustively and have made several valuable suggestions which have been incorporated, keeping of course the main outlines of the scheme intact. Sir, I do not want to mention names; one or two Hon'ble Members have brought to the notice of the Select Committee the ugly state of affairs particularly in large irrigation tracts. They have even suggested that in preparing estimates either for maintenance or improvement of irrigation channels, there ought to be provision even for roads because any irrigable area cannot be developed without proper provision for roads. That is the reason why, Sir, the amendments suggested by the Select Committee are more useful than the original Act itself. They have also appreciated the difficulties in the regulation and control of water supply. While they were willing to make it as strict a measure as possible, owing to constitutional difficulties they had to omit one section which was in the original amending bill, namely that a person who commits an offence would be presumed to be guilty before he is proved to be so. Therefore, one of the major changes which the Select Committee have made, is the omission of that clause. We have now said that according to the ordinary law he must be tried for offence and the onus is on the prosecution to prove that he is guilty. Very valuable reasons were advanced to retain the original clause itself, but still we could not retain it in the circumstances in which we are today. Therefore, there is a great responsibility in launching prosecution under the Irrigation Act today; though these people who commit offences against the provisions of this Act are really anti-social, yet we have to prosecute them only under the ordinary law of the land.

Sir, they have also suggested that power should be taken with regard to fixing period during which crops have to be raised under an irrigation work. It is common knowledge today that under any big irrigation works, one man will be ploughing, another would be transplanting, and so on, so much so, there is enormous wastage of water with consequent loss of precious water to the community as a whole. Therefore they have suggested that in consultation with the local panchayets or the local irrigation panchayets or taluk panchayet, the Deputy Commissioner or the Irrigation Commissioner should take steps to notify the particular period within which agricultural operations should be concluded so that water supply could be properly regulated and controlled. These are the main recommendations of the Select Committee and I think, Sir, the House will agree with me when I say that the suggestions incorporated in the report of the Select Committee are in the interest of the preservation and maintenance of the irrigation works.

With these few words, I commend the report of the Select Committee for the acceptance of this House.

MR. SPEAKER.—Motion moved:

"That the Mysore Irrigation (Amendment) Bill, 1951, as reported by the Select Committee, be taken into consideration".

SRI K. R. SREEKANTESWAR (Bangalore City—General).—Mr. Speaker, Sir; regarding the Select Committee Report, I generally welcome the various suggestions made. But I have to make one or two small observations for the kind consideration of our Hon'ble Home Minister. Probably he is aware that they are spending about 6 to 8 times more money than they were spending in 1946 for agricultural purposes. The amount comes to nearly 60 lakhs of rupees. He has

(SRI K. R. SREEKANTESWAR).

just now mentioned about big projects. Lots of moneys have been spent so far as the Tunga Project is concerned—nearly 70 lakhs of rupees— and now it is revised to Rs. 98 lakhs, but the actual amount spent is hardly about Rs. 25 lakhs and it may take another 6 to 8 years more to complete it. I do not know from where we are going to get this money Rs. 173 lakhs, when you are completing it. This question has to be decided. The same thing holds good in respect of the Lakkavalli Project (interruption from Hon'ble Members). I am just giving these figures to show how slowly the execution of these major projects is going on. My Hon'ble friends are very anxious to make interruptions and interjections. I just wanted to state some facts historical and all that. Probably my friends in this Assembly are a bit older than myself and they are trying to interrupt me at every stage. I have got to tell them that I know my responsibilities and whenever I speak, I speak in good faith in order to ventilate my views so that the Government in power may take note of them. Therefore there is no need to interrupt me so often. My point is so far as revenues of the State are concerned, they are inelastic for the past so many years. A lot of money is being spent on irrigation works, but the rate of land tax has not changed. We must try to revise our land revenue policy so that a certain amount of graded taxation is introduced in agriculture. For example in a particular place if paddy is grown you can levy a certain rate of land tax. If instead of paddy, the agriculturist grows some commercial crop making use of the improved water facility, it is but right that he must pay more revenue to the State. Therefore I say that the land revenue policy must be suitably revised and adjusted to provide for these variations. It is for that purpose that I wanted to quote some figures. On the last occasion I made certain suggestions. And this suggestion, if it be good, is also placed before the Hon'ble House and I request the Hon'ble Home Minister to give some consideration to it. I have already given some figures. I want to give some more figures. But many Hon'ble Members seem to be disgusted with these figures.

Sri M. V. KRISHNAPPA (Kolar District—General).—I think the proper occasion for quoting figures of this kind would be budget discussion. He can quote any amount of figures during budget discussion.

Sri K. R. SREEKANTESWAR.—They have no use for figures. I am saying that irrigation works require lakhs of rupees and I am pointing out that the revenues of the State are inelastic for many years...

Mr. SPEAKER.—The Hon'ble Member can give all these figures when the five-year plan comes up for discussion. This Bill relates only to the maintenance of irrigation works.

Sri K. R. SREEKANTESWAR.—It is but natural for me to mention as to what exactly is the amount that we are spending for the entire irrigation works. I want to make mention of that and I want to give a suggestion.

Mr. SPEAKER.—The question is :

"That the Mysore Irrigation (Amendment) Bill, 1951, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—Clauses 2 to 25, both inclusive. The question is :

"That Clauses 2 to 25, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 25, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 1. The question is :

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

The Hon'ble Sri T. MARIAPPA.—Sir, I move :

"That the Mysore Irrigation (Amendment) Bill, 1951, as reported by the Select Committee, be passed."

Mr. SPEAKER.—The question is :

"That the Mysore Irrigation (Amendment) Bill, 1951, as reported by the Select Committee, be passed."

The motion was adopted.

The Mysore Legislature (Prevention of Disqualification) Bill, 1951.

Motion to consider.

The Hon'ble Sri K. T. BHASHYAM (Minister for Law and Labour).—Sir, I move :

"That the Mysore Legislature (Prevention of Disqualification) (Amendment) Bill, 1951, be taken into consideration."

In making this motion, I wish to bring to the notice of this House the necessity for this Bill. Under the Industrial Disputes Act we had to appoint an industrial tribunal to decide matters of dispute between management and employees. Such a thing arose somewhere about June of this year and we had to appoint a tribunal. We appointed one and suggested casually that a retired High Court Judge and two Hon'ble Members of this House may be included as members of that tribunal. Afterwards it so happened that in view of the fact that some allowance has to be fixed for them, their office may be treated as an office of profit and therefore the question of disqualification on that ground might arise. So with a view to prevent such disqualification and in accordance with the power vested in this House under the Constitution we issued an ordinance to exempt these officers from the disqualification which might arise by reason of these officers carrying certain allowances. That was the ordinance which was passed in July 1951 and now that the Assembly is in session, we have brought it to the notice of the Hon'ble Members. I consider that the calling on an Hon'ble Member of this House to help the administration as a member of an industrial tribunal, is a compliment to this House and a matter of great advantage to the Government and the public and it should not end in any kind of disqualification either. We therefore considered that this disqualification should be removed. Therefore the ordinance was passed and it is now placed as a Bill before the Hon'ble Members of this House for their kind acceptance. If this Bill is passed, it will be an amendment to the previous one passed in the last session where we have two categories—one Parliamentary Secretary and the other Chairman, Member or Director of any Board or Committee appointed by the Government. Now the third class will be Members of any industrial tribunal. I therefore commend the Bill for the acceptance of the House and I move that this Bill be taken into consideration.

Mr. SPEAKER.—Motion moved :

"That the Mysore Legislature (Prevention of Disqualification) (Amendment) Bill, 1951, be taken into consideration."

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು (ತುಮಕೂರು ಜಿಲ್ಲೆ).—ಸ್ವಾಮಿ, ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಅಡಕವಾಗಿರುವ ಪಾರ್ಲಿಯಮೆಂಟರಿ ಸೆಕ್ರೆಟರಿಗಳ ವಿಚಾರ ಹಾಗಿರಲಿ; 3ನೆಯ ಸೆಕ್ಷನ್ನಿನಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಇಂಡಸ್ಟ್ರಿಯಲ್ ಟ್ರಿಬ್ಯುನಲ್‌ನ ಸದಸ್ಯರಿಗೆ ವಿನಾಯತಿ ಕೊಡತಕ್ಕದ್ದು ಸರಿಯಾದುದಲ್ಲ. ಇತರ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಸೇರಿರತಕ್ಕವರಿಗೆಲ್ಲಾ ಯಾವ ರೀತಿಯ ಅನರ್ಹತೆಗಳು ಅನ್ವಯವಾಗುತ್ತವೆಯೋ ಅವೆಲ್ಲವೂ ಇವರಿಗೂ ಅನ್ವಯವಾಗತಕ್ಕದು ನ್ಯಾಯವಾಗಿದೆ. ಈಗ ಕೆಲವು ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಸದಸ್ಯರಾಗಲು ಪಟೇಲರು, ಶ್ಯಾನುಭೋಗರುಗಳು ಮತ್ತು ಇತರ ಅನೇಕ ಕಂಪೆನಿಗಳ ಜನಗಳಿಗೆ ಅವಕಾಶವಿಲ್ಲ. ಕಾರಣ, ಅವರುಗಳಿಗೆ ತಾವು ವಿಧಿಸಿರತಕ್ಕ ಅನರ್ಹತೆಗಳೇ ಆಗಿವೆ. ಅದೇರೀತಿ ಈ ಇಂಡಸ್ಟ್ರಿಯಲ್ ಟ್ರಿಬ್ಯುನಲ್‌ನಲ್ಲಿ ಸೇರತಕ್ಕ ಸದಸ್ಯರಿಗೆ ಅನೇಕ ವಿಚಾರಗಳಲ್ಲಿ ಮಹತ್ವದ ತೀರ್ಮಾನಗಳನ್ನು ಕೊಡುವಂಥ ಒಂದು ದೊಡ್ಡ ಅಧಿಕಾರ ಲಭಿಸುವ ಸಂದರ್ಭವಿದೆ. ಅವರಿಗೆ ಈರೀತಿಯ ಯಾವ ಒಂದು ಅನರ್ಹತೆಯೂ ಅನ್ವಯಿಸದಂತೆ ಇರುವುದರಿಂದ ನಾನು ಈ ಮಸೂದೆಯನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ.